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374-11321-P011WUC1

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MESSAGE: Per our teleconference earlier today, attached please find a substituted Terminal Disclaimer for Patent Application Serial No. 10/032,726. Please feel free to call me if you have any questions.

FROM: SENT ON BEHALF OF ROSS **PHONE NO.:** 512.370.2870
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Docket Number (Optional)

11321-P012USD11

In re Application of: Richard E. Smalley et al.

Application No.: 10/032,726

Filed: December 28, 2001

For: METHOD FOR GROWING SINGLE-WALL CARBON NANOTUBES UTILIZING SEED MOLECULES

The owner*, William Marsh Rice University, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/032,732, filed on December 28, 2001, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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